

deposition of the king, the declaration of peace or war, legislation, the disposal of honours, commands, offices, &c. But was not Pepin created king by Pope Zacharias ? No, returned Hotman. This is a lying story invented by Pope Gelasius, and repeated by the chroniclers. There is plenty of ancient testimonies to prove that Pepin was chosen by the council of the nation. This council retained its authority throughout the period of the Merovingian and Carolingian kings. It, and not the person who happens to be king, is the real source and possessor of the royal majesty or power.

Observe, he exhorts, the distinction between the king and the kingdom. The king is a single person, the kingdom is the whole body of the people, for whose sake he is instituted. The king is accidental, the kingdom is permanent. A people may exist without a king, but a king without a people is inconceivable. Though Hugh Capet obtained the kingship by arms and craft, and encroached on the right of the council of the nation to confer honours and jurisdiction—formerly temporary—by making the title of duke, earl, &c., perpetual, the power of the council nevertheless continued under the Capetian dynasty. Witness in particular the adjudication of the kingdom in 1328 to Philip of Valois, in preference to Edward III., and many other instances of the exercise of sovereign power in the fourteenth and fifteenth centuries. The council, however, suffered in its jurisdiction and power by the establishment of the parliaments, whose privileges were gradually increased by the king in order to augment his own power and counteract that of the Estates. With the increase of parliaments litigation has increased, but liberty has suffered.

Some of Hotman's statements are not strictly historical, but this does not detract from the significance of the book as an assertion of the ancient rights of the people against the modern absolute king. It is, however, reactionary rather than revolutionary. It is an appeal to the past, and does not contemplate any advance on past constitutions. The democracy he had in his mind was evidently mediaeval, not modern. At the same time it insists on the sovereignty of the people, as represented by the States-General at least, and it does so in language that is both dogmatic and uncompromising. It fails